THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON’BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.7940 OF 2006

Date: 20-04-2006

Between:

M/s Sun Techno Constructions … Petitioner

And

The Additional Commissioner (CT) Legal
And others … Respondents

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THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.7940 OF 2006

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O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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This writ petition is filed challenging the order of rejection of stay, pending appeal, passed by the first respondent. It is submitted that even during pendency of the application for stay, the bank accounts of the petitioner were attached. After hearing learned counsel for the parties, we feel that, in the interest of justice, stay could have been granted subject to payment of 50 per cent of the disputed liability. However, the petitioner submits that he will not be in a position to pay even 50 per cent of the disputed liability, because his bank accounts have been attached. Hence, we direct the bank concerned to remit an amount of Rs.9,25,000/- (Rupees nine lakhs and twenty five thousand only) from the accounts of the petitioner towards the respondents and on remission of such amount, the attachment of the accounts shall stand removed. If the petitioner does not have that much of amount in his bank accounts, then he shall deposit Rs.9,25,000/- (Rupees nine lakhs and twenty five thousand only) within a period of four weeks and on deposit of such amount, there shall be stay pending disposal of the appeal and also the attachment of the accounts shall stand lifted. If the petitioner has already paid any amounts towards the disputed liability that shall be given remission to.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

Dated 20th April, 2006

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(G.Chandraiah, J)

Note: Issue wire at party's cost

(b/o)

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